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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIES, INC.
PASSENGER SEXUAL ASSAULT
LITIGATION

Case No. 3:23-md-03084-CRB

Honorable Charles R. Breyer

**PLAINTIFFS' RESPONSE TO UBER'S
MOTION TO DISMISS CASES FOR
FAILURE TO COMPLY WITH PTO 5**

This Document Relates to:

C.B. v. Uber Technologies, Inc., et al.
No. 3:25-cv-01961-CRB

Date: October 3, 2025

Time: 10:00 a.m.

Courtroom: 6 – 17th Floor

I. INTRODUCTION

On August 12, 2025, Defendants filed a Motion to Dismiss cases of Plaintiffs who did not file a bona fide ride receipt or a ride information sheet in connection with Pretrial Order (“PTO”) 5. (Doc. 3682). Counsel acknowledges and understands that under PTO 5, the Court has created procedures and deadlines to produce a ride receipt.

II. ARGUMENT

a. Plaintiff C.B. v. Uber Technologies, Inc., et al., No. 3:25-cv-01961-CRB should not be dismissed.

Counsel produced a ride receipt for C.B. on August 26, 2025, and this claim should therefore be removed from consideration of Defendant’s Motion, rendering its inclusion moot in lieu of PTO 5.

III. CONCLUSION

Plaintiffs request that *C.B. v. Uber Technologies, Inc., et al., No. 3:25-cv-01961-CRB* be removed from Defendants' Motion to Dismiss as having fulfilled her obligation under PTO 5.

Dated: August 26, 2025

Respectfully submitted,

/s/ Sommer D. Luther
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CERTIFICATE OF SERVICE

I hereby certify that on August 26, 2025, I electronically filed the following with the Clerk of the Court using the CM/ECF system, which will send notification of such filing via electronic mail to all counsel of record as maintained in the CM/ECF electronic system.

Dated: August 26, 2025

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PROOF OF SERVICE

I, the undersigned, declare: I am a citizen of the United States, over 18 years of age and not a party to the within action. My business mailing address is 940 Lincoln Street, Denver, CO 80203.

On the date specified below, I served a copy of the foregoing document described as:

PLAINTIFFS' RESPONSE TO UBER'S MOTION TO DISMISS CASES FOR FAILURE TO COMPLY WITH PTO 5

To be served by providing a true copy thereof addressed to each of the persons named below:

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5 **[X] BY ELECTRONIC TRANSMISSION ONLY:** By emailing the document(s) to the persons at
the email address(es) listed above. No electronic message or other indication that the transmission
6 was unsuccessful was received within a reasonable time after the transmission.

7 I declare under penalty of perjury under the laws of the State of California that the above is true and
correct.
8

9 Executed August 26, 2025 in Denver, Colorado.

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11 /s/ Theresa Fryan

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